



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|------------------------------|------------------|
| 10/718,819 | 11/21/2003 | Allen Jacobs | 37182-22 | 1341 |
| 7590 Warren P. Kujawa 461 Indigo Springs St. Henderson, NV 89014 | | 04/06/2007 | EXAMINER TRIEU, VAN THANH | |
| | | | ART UNIT 2612 | PAPER NUMBER |
| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE | | |
| 3 MONTHS | 04/06/2007 | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/718,819 | JACOBS, ALLEN |
| | Examiner | Art Unit |
| | Van T. Trieu | 2612 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 21 November 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-8 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-8 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the phrase "DISCLOSURE" and the typing error of "A m thod". Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claim 6 is objected to because of the following informalities: there are typing errors in line 3, "wh n" and "detect d". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by **Schaeffer [US 5,734,116]**.

Regarding claim 1, the claimed malfunction management unit for a traffic control system for monitoring traffic control signals for a Red Fail fault in which no signal is activate in a given channel (the NEMA traffic tester 40 is connected to a traffic signal controller 18, a terminal panel 12 and a conflict monitor 20 for monitoring and testing traffic control signals of a failure red light in one channel, see Figs. 2 and 6, col. 5, lines 45-67 and

Art Unit: 2612

col. 6, lines 1-34); and having the input terminals for receiving control signals grouped in channels and used to operate the traffic control lights (the input terminals through cables 28A, 28B and 28C, see Fig. 2, col. 4, lines 13-62 and col. 5, lines 45-67); and the monitoring means for detected a Red Fail fault from the signals in the channel (see Fig. 6, col. 6, lines 1-34); and channel selection means for enabling a Red Fail test on a channel specific basis (the switches 44 for selecting/switching to a specific channel of the Red light failure, see Figs. 2 and 6, col. 6, lines 27-34).

Regarding claim 2, the claimed manual settable switch for enabling and disabling the channel selection means (the manual switch 44, see Figs. 2-4 and 6, col. 6, lines 1-34).

Regarding claim 3, the claimed display for indicating whether a Red Fail fault has occurred in a selected channel (the display 30, see Figs. 2, col. 4, lines 21-24 and col. 6, lines 11-26).

Regarding claim 4, the claimed output for controlling the operation of an output relay used to transfer the operation of the traffic control lights to a flashing mode of operation when a Red Fail is detected a selected channel (the conflict monitor 20 detects of the Red light conflict to indicate an appropriate punches out and results in flashing signal light of that used channel, see Figs. 2 and 6, col. 6, lines 18-26).

Art Unit: 2612

Regarding claim 5, the method claimed limitations are met by the apparatus claim 1 above.

Regarding claim 6, all the claimed subject matters are cited in respect to claims 4 and 5 above.

Regarding claim 7, all the claimed subject matters are cited in respect to claims 2 and 5 above.

Regarding claim 8, all the claimed subject matters are cited in respect to claims 3 and 5 above.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Marcus et al disclose an apparatus and method for detecting and controlling traffic light signals comprising a plurality of solid-state switches, which are activated to scan inputs from the traffic control signals. [US 4,734,862]

Carlson discloses a portable conflict monitor testing apparatus comprising a test signal generator and a programmable array switches. [US 4,586,041]

Heimann discloses a traffic control system failure monitoring comprising a traffic control light, a light flasher structure, a plurality of load switches and a relay structure connected to the flasher structure. [US 5,327,123]

Art Unit: 2612

5. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mr. Daniel Wu** can be reached on (571) 272-2964.



Van Trieu
Primary Examiner
Date: 3/26/07